

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 26, 1956
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, White, Mayor Miller
Absent: Councilman Pearson

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by FATHER JOHN PAYNE, St. Ignatius Church, 206 West Johanna Street.

Councilman White moved that the Minutes of April 19th be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there now exist Public Cab Stands on the South side of West 7th Street in the 100 Block, and on the North side of East 7th Street in the 100 Block; and,

WHEREAS, the Traffic Engineer of the City of Austin has found that passage of taxicabs from the former cab stand to the latter cab stand creates a serious and unnecessary hazard; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That the Public Cab Stand on the South side of West 7th Street, beginning at the West property line of Congress Avenue and extending Westerly 20 feet, be and the same is hereby eliminated.

2. That Public Cab Stand on the North side of West 7th Street, beginning at the West property line of Congress Avenue and extending Westerly 20 feet, capacity one taxicab, be and the same is hereby established subject to the rules and regulations prescribed by ordinance.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following location is less than thirty miles per hour; and

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles is fifteen (15) miles per hour at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Congress Avenue	Barton Springs Road	East 1st Street

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

Pursuant to published notice thereof at 10:30 o'clock A.M. the Council held a public hearing on the paving of portions of Alegria Road, Arcadia Avenue, Madison Avenue and Ruth Avenue. MRS. JOHN MUS, Route 3, Box 314, inquired about the status of a paving lien. The City Attorney and City Manager explained this to her.

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HERINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR

IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

MR. TED WHITLOCK, representing James C. Tucker & Company, appeared before the Council regarding the Travis-Williamson County Water Control District No. 1. After Mr. Whitlock explained his request, Councilman White moved that a resolution be adopted authorizing the City Manager to enter into an amended contract with the Travis-Williamson County Water Control District No. 1 to allow them to refund \$340,000 worth of outstanding bonds with a five year call option and to reissue \$340,000 bonds with a 15 year par option plus \$250,000 of unissued bonds. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

At this point Councilman Pearson entered the Council Room.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.845 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF BERGSTROM DOWNS NO. 1, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE HEIGHT AND AREA DESIGNATION FROM FIRST HEIGHT AND AREA DISTRICT TO FIFTH HEIGHT AND AREA DISTRICT ON LOTS 7, 8 AND 9, BLOCK 18, CHRISTIAN AND FELLMAN ADDITION, LOCALLY KNOWN AS 2054-2058 INTERREGIONAL HIGHWAY, AND 2060-2068 SWISHER STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-338, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON TWO TRACTS OF LAND LOCALLY KNOWN AS 5312-5314 INTERREGIONAL HIGHWAY AND 1045-1049 REINLI STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON TWO TRACTS OF LAND FRONTING APPROXIMATELY 150 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF THE INTERREGIONAL HIGHWAY, LOCALLY KNOWN AS 4908-4910 INTERREGIONAL HIGHWAY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON A TRACT OF LAND APPROXIMATELY 40 ACRES IN SIZE, AND FRONTING APPROXIMATELY 1500 FEET ALONG THE EAST RIGHT OF WAY LINE OF THE INTERREGIONAL HIGHWAY, APPROXIMATELY 1200 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF REINLI STREET AND APPROXIMATELY 2120 FEET ALONG THE WEST RIGHT OF WAY LINE OF CAMERON ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council

has found that since Allan Junior High School is closed that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles at the locations hereinafter named is now more than twenty (20) miles per hour between the hours of 7:30 o'clock A.M. and 4:30 o'clock P.M. on school days, at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Trinity Street	Eighth Street	Eleventh Street
East Tenth Street	Trinity Street	San Jacinto Street

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

The motion, seconded by Councilman Long, carried by the following vote:
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH WASH PHILLIPS AND CLYDE COPUS, JR.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 24, 1956, for the construction of miscellaneous storm sewers in Hillview Road Easement, Peterson Avenue Alley and West 39-1/2 Street and East 40th Street Easement, such construction being designated Contract No. 56-D-6, Units 1, 2, and 3; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$1,841.20 for Unit 1 was the lowest and best bid therefor; and,

WHEREAS, the bids of Lee Maners in the sum of \$3,036.68 for Unit 2 and the sum of \$1,028.80 for Unit 3 were the lowest and best bids therefor; and,

WHEREAS, the acceptance of such bids has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company in the sum of \$1,841.20 for Unit 1, and the bids of Lee Maners in the sums of \$3,036.68 for Unit 2 and \$1,028.80 for Unit 3 of Contract No. 56-D-6, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute contracts on behalf of the City of Austin with Austin Engineering Company and Lee Maners.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long moved that the following be appointed to the Youth Development Committee:

MR. GARY MORRISON, Chairman	DR. BERNICE MOORE
MR. Wm. J. MURRAY, JR.	MR. JOHN BOTELLO
MR. BEN HOWELL	MR. TOM B. KELLUM
MR. JOE CARRINGTON, SR.	MRS. DAVE CHEAVENS
MR. CHARLES SANDAHL, SR.	MRS. FAGAN DICKSON
DR. CARLYLE MARNEY	REV. J. H. WASHINGTON
REV. JOSEPH HOUSER	

Presidents of the Student Council of the four highschoools:

JACK GRACE	Wm. B. Travis
MIKE MOEHLMAN	Austin High
MIKE HORNSBY	McCallum
LEE EDWARD HILL	Anderson

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Council referred the request of MR. WILLIAM WEEG for a stop sign on 32nd Street at Fairfax, to the Traffic Engineer for study.

Action was deferred on the request of MR. GOODFRIEND to construct an overpass between the Maverick-Clark Building and the Goodfriend Building, for study.

Councilman Long presented a request from a Mrs. Wilson that while the contractor is putting in the sewer line up to the subdivision on Del Curto Road, that he make connections to property within 100' distances while the crew is working in the area. The Director of Water Utilities stated there was an arrangement with KARL WAGNER to make an extension on the line which he thought would cover this request; however he would check into this to see, and the matter was referred to him.

The City Manager submitted recommended fees for airport services. The Council went over the comparison of fees charged by other cities, and studied the recommendation, and asked the City Manager to bring in an ordinance next week to cover. MR. AMOS HEROLD took part in the discussion, stating the fees as recommended were not sufficient.

The Council received notice from the City Manager that the following zoning applications had been referred to the Plan Commission, and were set for public hearing before the Council for May 31, 1956:

G. P. NORMAN, et al	1700-1708 Pennsylvania Avenue; 1181-1183 Leona & 1180-1182 Salina	From "A" Residence 1st Height & Area To "BB" Residence 2nd Height & Area
L. C. PAGE	7600-7730 Interregional Highway	From "A" Residence To "D" Industrial
FRANK C. HOFFMAN	4007-Alice Avenue & 4006 Marathon Blvd.	From "A" Residence To "LR" Local Retail
HUSTON-TILLOTSON COLLEGE	1112-1116 East Avenue 1113-1117 Sabine and 701-709 East 12th Street	From "B" Residence To "C" Commercial

INVESTORS REALTY INC.

1000-1002 Flores St.
31-33 San Marcos St.

From "A" Residence
To "GR" General Retail

MURRAY P. RAMSEY

406-08 West 45th St.
4501-4505 Avenue "A"

From "A" Residence
To "O" Office

There being no further business the Council adjourned at 11:45 A.M.
subject to the call of the Mayor.

APPROVED

Tom Miller

Mayor

ATTEST:

Elsie Hooley
City Clerk